

STATEMENT OF BASIS (AI No. 40946)

for draft Louisiana Pollutant Discharge Elimination System permit No. **LA0066389** to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Zito Fleeting, LLC
Algiers Fleet
Post Office Box 10306
Jefferson, LA 70181

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Lisa Kemp

DATE PREPARED: July 22, 2009

1. PERMIT STATUS**A. Reason For Permit Action:**

Permit reissuance of an Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. LPDES permits –

LPDES permit effective date: February 1, 2004

LPDES permit expiration date: January 31, 2009

This permit was modified effective November 1, 2005 to reflect the transfer from Capital Marine Supply, LLC to Zito Fleeting.

C. Date Application Received: December 17, 2008; additional information received on July 22, 2009.**2. FACILITY INFORMATION****A. FACILITY TYPE/ACTIVITY - barge fleeting, cleaning, and repair facility**

Algiers Fleet is an existing fleeting facility. Currently, no barge cleaning or repair is being performed at the facility; however, the facility desires to maintain the ability to provide such services. The facility proposes to clean open top and covered dry cargo barges. No tank barges or chemical barges will be cleaned at the Algiers Fleet facility. The facility expects to handle the following commodities: grain, grain by-product, coal, coke, scrap steel, rock, sand, gypsum, fishmeal, wood chips, logs, lumber, bark, wood pulp, alumina, bauxite, barite, urea, phosphate, fertilizers, pig iron, iron ore, ilmenite copper ore, hot briquetted iron, direct reduced iron, dry ore, alloys, cement, fluxing stone, salt, talc, clay, and soil. Repairs are not done at this time. When repairs are done, they are topside repairs.

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B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II*
3. Wastewater Type: II
4. SIC code: 4492, 4491, 4499, 3731

*II as per LAC33:IX.1319 Table I and SIC 4463. In Appendix A - Section IV (Relation of 1987 to 1977 Industries) of the Standard Industrial Classification Manual, the SIC code 4491 is equivalent to a previous SIC code of 4463.

C. LOCATION - between Mississippi River Miles 94.5 and 95.5, in Algiers, Orleans Parish
Latitude 29° 56' 53", Longitude 90° 03' 19"

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: treated sanitary wastewater
Treatment: septic tank
Location: at the point of discharge from the STP prior to mixing with other waters
Flow: 100 GPD
Discharge Route: to the Mississippi River

Outfall 002A incoming ballast water from customer barges

This outfall has been deleted. These discharges are now covered under EPA's Vessel General Permit.

Outfall 002 (previously Outfall 002B)

Discharge Type: facility ballast water, dry dock ballast water, and void water
Treatment: none
Location: at the point of discharge from the vessel/dry dock prior to combining with other waters
Flow: intermittent
Discharge Route: Mississippi River

Outfall 003

Discharge Type: dry commodity vessel washwater
Treatment: none
Location: at the point of discharge from the vessel being washed prior to combining with other waters
Flow: intermittent
Discharge Route: Mississippi River

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Outfall 004

Discharge Type: coal and coke vessel washwater
 Treatment: settling tank barge
 Location: at the point of discharge from the treatment system prior to combining with other waters
 Flow: intermittent
 Discharge Route: Mississippi River

4. RECEIVING WATERS

STREAM - Mississippi River

BASIN AND SEGMENT - Mississippi River Basin Basin, Segment 070301

DESIGNATED USES -
 a. primary contact recreation
 b. secondary contact recreation
 c. propagation of fish and wildlife
 d. drinking water supply

5. TMDL STATUS

The discharges from Zito Fleeting, LLC are to the Mississippi River, Subsegment 070301 of the Mississippi River Basin. Subsegment 070301 is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

6. CHANGES FROM THE PREVIOUS PERMIT

1. Outfall 001 - monthly average effluent limitations for BOD, TSS, and Fecal Coliform and monthly average flow reporting have been established at Outfall 001. Weekly average limitations are now daily maximum limitations. These changes have been made in accordance with current LDEQ guidance for similar discharges.
2. Outfall 002A, incoming customer ballast water, has been deleted. These discharges are now covered under EPA's Vessel General Permit (VGP).
3. Outfall 002B has been renumbered and is now Outfall 002. The wastewater description has been changed from "maintenance and/or dry dock ballast water" to "facility ballast water, dry dock ballast water, and void water." Visual Sheen has been added to Outfall 002 with once/day monitoring frequency. Monitoring frequency for other parameters has been changed from once/month when sampling is required to once/event when sampling is required. These changes have been made in accordance with current LDEQ guidance for similar outfalls from similar facilities.
4. Outfall 003 - the wastewater description has been changed from "dry commodity barge washwater" to "dry commodity vessel washwater" in accordance with current LDEQ guidance for similar outfalls from similar facilities.
5. Outfall 004 - the wastewater description has been changed from "coal and coke barge washwater" to "coal and coke vessel washwater" in accordance with current LDEQ guidance for similar outfalls from similar facilities.
6. Part II language for facility ballast and/or void water has been updated in accordance with current LDEQ guidance for similar discharges from similar facilities.

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7. Language has been added to Part II of the permit stating that this LPDES permit does not exempt the facility from compliance with the requirements of the EPA Vessel General Permit for Discharges Incidental To The Normal Operation of Vessels (VGP).

7. COMPLIANCE HISTORY/COMMENTS

1. OEC – There are no open, appealed, or pending OEC enforcement actions as of July 22, 2009.
2. DMR Review/Excursions – DMRs reviewed for the years 2007 and 2008 showed no excursions. DMRs reported no discharge of barge cleaning washwater for years 2007 and 2008.
3. Inspections – There are no recent inspections on file.

8. EXISTING EFFLUENT LIMITS

Outfall 001: treated sanitary wastewater

Pollutant	Limitation		Frequency
	Monthly Avg	Weekly Average	
	mg/L		
Flow	Report	Report	1/ 6 months
BOD ₅	---	45	1/ 6 months
TSS	---	45	1/ 6 months
Fecal Coliform colonies/100ml	---	400	1/ 6 months
pH, s.u.	6.0 (min)	9.0 (max)	1/ 6 months

Outfall 002A – incoming ballast water from customer barges

Pollutant	Limitation		Frequency
	Monthly Avg	Daily Max	
	mg/L (unless stated)		
Flow	Report	Report	1/week
COD	---	250	1/week
Oil & Grease	---	15	1/week
pH standard units	6.0 (min)	9.0 (max)	1/week

Hydrostatic test water may be discharged as ballast water/void water provided: a) it is the ballast/void tanks being hydrostatic tested, and b) that no additives such as corrosion inhibitors, bactericides, and dyes are added to the test water.

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Outfall 002B -- maintenance and/or dry dock ballast water

Pollutant	Limitation		Frequency
	Monthly Avg	Daily Max	
	mg/L (unless stated)		
Flow	Report	Report	1/month (*1)
COD	---	250	1/month (*1)
Oil & Grease	---	15	1/month (*1)
pH standard units	6.0 (min)	9.0 (max)	1/month(*1)

(*1) Testing is only required if a visible sheen is present.

Hydrostatic test water may be discharged as ballast water/void water provided: a) it is the ballast/void tanks being hydrostatic tested, and b) that no additives such as corrosion inhibitors, bactericides, and dyes are added to the test water.

Outfall 003: dry commodity barge washwater

No effluent limitations are established for washwaters from barges previously containing dry commodities. Best Management Practices (BMPs) for barge operations are listed in Part II of the permit.

Outfall 004: coal and/or coke barge washwater

Pollutant	Limitation		Frequency
	Monthly Avg	Daily Max	
	mg/L		
Flow	Report	Report	1/week
COD	250	400	1/week
TSS	Report	Report	1/month
pH, s.u.	6.0 (min)	9.0 (max)	1/week

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which is listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the

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Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for Zito Fleeting, LLC

1. **Outfall 001:** treated sanitary wastewater

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	mg/L		
Flow	Report	Report	LAC 33:IX.2701.1.1.b
BOD ₅	30	45	BPJ; LAG530000 and similar discharges
TSS	30	45	BPJ; LAG530000 and similar discharges
Fecal Coliform colonies/100ml	200	400	BPJ; LAG530000 and similar discharges
pH, s.u.	6.0 (min)	9.0 (max)	BPJ; LAG530000 and similar discharges

Treatment: septic tank

Monitoring Frequency: 1/6 months for all parameters at the point of discharge from the STP prior to combining with other waters.

Limits Justification: BPJ; per the Class I Sanitary Discharge General Permit (LAG530000), Schedule B, Treated Sanitary Wastewater less than 5000 GPD and similar discharges.

2. **Outfall 002:** facility ballast water, dry dock ballast water, and void water.

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	mg/L		
Flow ¹	Report	Report	LAC 33:IX.2701.1.1.b
COD ¹	---	250	Similar discharges (BPJ)
Oil & Grease ¹	---	15	Similar discharges (BPJ)
Visual Sheen ²	---	No presence	Similar discharges (BPJ)
pH, s.u. ¹	6.0 (min)	9.0 (max)	Similar discharges (BPJ)

BPJ Best Professional Judgment

Treatment: none

Monitoring Frequency: 1/day for Visual Sheen. Flow, COD, Oil & Grease and pH shall be monitored once per event at the point of discharge from the vessel/dry dock prior to combining with other waters.

Limits Justification: Limits and Monitoring Frequency are based on current guidance for similar discharges from other industrial facilities.

1. Discharge shall be sampled whenever there is a presence of a visible sheen.
2. When discharging.

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3. **Outfall 003: dry commodity vessel washwater**

Based on BPJ and on permits for similar facilities, no effluent limitations are established for washwaters from barges previously containing dry commodities including: grain, grain by-product, coal, coke, scrap steel, rock, sand, gypsum, fishmeal, wood chips, logs, lumber, bark, wood pulp, alumina, bauxite, barite, urea, phosphate, fertilizers, pig iron, iron ore, ilmenite copper ore, hot briquetted iron, direct reduced iron, dry ore, alloys, cement, fluxing stone, salt, talc, clay, and soil. Best Management Practices (BMPs) for barge operations are listed in Part II.

4. **Outfall 004: coal and coke vessel washwater**

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	mg/L		
Flow	Report	Report	LAC 33:IX.2701.I.1.b
COD	250	400	Similar discharges (BPJ)
TSS	Report	Report	Similar discharges (BPJ)
pH, s.u.	6.0 (min)	9.0 (max)	Similar discharges (BPJ)

BPJ Best Professional Judgment

Treatment: settling tank barge

Monitoring Frequency: TSS shall be monitored once per month and Flow, COD and pH shall be monitored once per week at the point of discharge from the treatment system prior to combining with other waters.

Limits Justification: Limits and Monitoring Frequency are based on current guidance for similar discharges from other industrial facilities.

This facility is not subject to Effluent Limitations Guidelines for Transportation Equipment Cleaning, 40 CFR Part 442, because, in accordance with 40 CFR 442.1.a, "this part applies to discharges resulting from cleaning the interior of tanks used to transport chemical, petroleum or food grade cargos." This facility cleans barges and vessels containing dry commodities only. This facility does not clean barges and vessels containing chemical, petroleum or food grade cargos as defined in 40 CFR 442.

Storm Water Pollution Prevention Plan (SWP3) Requirement

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water discharges shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 4492,4491, 3731 are considered to have storm water discharges associated with industrial activity. In addition to the SWP3, the barge BMPs will be applied because barge BMPs are comparable to the SWP3 requirements.

For first time permit issuance, the SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. **For renewal permit issuance,** the SWP3 shall be

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reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see Part II of the permit).